

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

JOSEPH BRITT and BRENDA BRITT,

Plaintiffs,

v.

LIVANOVA PLC, LIVANOVA HOLDING  
USA, INC., SORIN GROUP  
DEUTSCHLAND GMBH, AND SORIN  
GROUP USA, INC.,

Defendants.

Civil Action No. 6:18-cv-03117-DCC

**PLAINTIFFS' AMENDED PRE-TRIAL DISCLOSURES**

Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, Plaintiffs Joseph Britt and Brenda Britt, ("Plaintiffs"), hereby submit the following deposition designations for Sorin/LivaNova employee witnesses and amended disclosures as to Plaintiffs' trial exhibits and and Greenville Hospital witnesses who may not be appearing in person at the trial in this matter.

Defendants' Pre-Trial disclosures, [Dkt. No. 227], filed on August 18, 2023, indicated that they would not call certain of their own employees as witnesses in person at trial. These witnesses have all been named by Plaintiffs. As a counter and in response to Defendants' failure to call their own employee witnesses to the trial of this matter, Plaintiffs hereby designate certain deposition excerpts pursuant to Rules 26(a)(3) and 32(1)(a)(4)(B) (8) of the Federal Rules of Civil Procedure, and Rules 804(a)(5)(A) and 804(b)(1) of the Federal Rules of Evidence. Additionally, Plaintiffs have learned that certain Greenville Hospital witnesses may also not be available at trial and Plaintiffs hereby designate their deposition transcripts as well. As previously disclosed, it is Plaintiffs' intention to use video deposition excerpts for a number of the depositions described

below.

## **I. AMENDED TRIAL EXHIBIT LIST**

To the extent not already included in Plaintiffs' Pretrial Disclosures, Plaintiffs provide the attached Amended Exhibit List for use at trial. (**Ex. 1, Plaintiffs' Amended Trial Exhibit List**).

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Respectfully submitted,

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